



LFV 1645

2690/68556-B/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jason D. Bannan et al.

Serial No. : 09/335,581

Examiner: J. Hines

Filed : June 18, 1999

Group Art Unit: 1645

For : PEPTIDES USEFUL FOR REDUCING SYMPTOMS OF TOXIC
SHOCK SYNDROME AND SEPTIC SHOCK

1185 Avenue of the Americas
New York, New York 10036
August 24, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION FORWARDING CORRECTED DRAWINGS

This Communication is submitted in response to the Notice Regarding Drawings issued July 19, 2006 by the U.S. Patent and Trademark Office in connection with the above-identified application. A response to the July 19, 2006 Notice is due September 19, 2006. Accordingly, this Communication is being timely filed.

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Remarks

The July 19, 2006 Notice indicates that corrected drawings for the above-identified application, received in the U.S. Patent Office on June 18, 1999, are still not acceptable for the reasons identified in the July 19, 2006 Notice of Draftsperson's Patent Drawing Review. A copy of the Notice and Draftsperson's Patent Drawing Review annexed thereto is attached hereto as **Exhibit A**.

In response, applicants attach hereto as **Exhibit B** eleven (11) sheets of new, corrected formal drawings for Figures 1-11. Applicants maintain that the corrected formal drawings comply with 37 C.F.R. §1.84 as required.

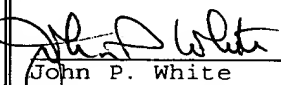
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 8/24/06
John P. White Date
Reg. No. 28,678

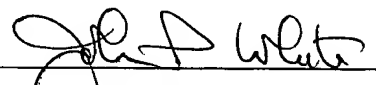

John P. White
Registration No. 28,678
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(212) 278-0400



EXHIBIT A

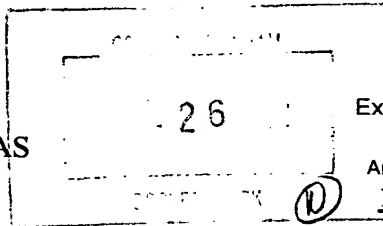


UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER 09/335581	2035 FILING DATE 06/18/1999	FIRST NAME APPLICANT BANNAN, JASON D.	ATTORNEY DOCKET NUMBER 2016-4010US2
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JOHN P. WHITE
COOPER & DUNHAM LLP
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036



Examiner: **HINES, JA'NA**

Art. Unit
1645

Sheet No.

Drawings: 9/19/06

Date Mailed: July 19, 2006

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 06/18/1999 still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 6/15/1999 are:

- A. ☒ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

- ☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

- ☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

- ☐ Paper not flexible, strong, white, and durable. Fig(s) _____
☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

- 21.0 cm by 29.7 cm (DIN size A4) or
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
☐ All drawing sheets not the same size. Sheet(s) _____
☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

- Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
☐ Margins not acceptable. Fig(s) _____
☐ Top (T) ☐ Left (L)
☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

- ☐ Views not labeled separately or properly. Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

- ☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

- ☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

- ☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

- ☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-7

11. SHADING. 37 CFR 1.84(m)

- ☐ Solid black areas pale. Fig(s) _____
☐ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

- ☐ Numbers and reference characters not plain and legible. Fig(s) _____
☐ Figure legends are poor. Fig(s) _____
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____
☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

- ☒ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) 1-7

13. LEAD LINES. 37 CFR 1.84(q)

- ☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

- ☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

- ☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

- ☐ Surface shading shown not appropriate. Fig(s) _____
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

- illegible shading on (Fig 1, 7, 8, 9)
- illegible dates on (Fig 7)

Reviewer WJS

If you have questions, call (703) 305-8404.

Date 7/19/06

Attachment to Paper No. _____

EXHIBIT B